

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

March 27, 2014

5:30 P.M.

MINUTES

Present: Mayor James Calnon, Councilors Rachelle Armstrong (W1), Mike Kelly (W2), Paul O'Connell (W4), Becky Kasper (W5), Joshua Kretser (W6)

Absent: Councilor Dale Dowdle (W3)

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on March 13, 2014 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Armstrong Seconded by Councilor Kelly

Roll call: Councilors Armstrong, Kelly, O'Connell, Kasper, Kretser

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the weeks ending March 19, 2014 in the amount of \$ 293,452.30 and March 26, 2014 in the amount of \$ 267,661.57 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor O'Connell; Seconded by Councilor Kasper

Roll call: Councilors Armstrong, Kelly, O'Connell, Kasper, Kretser

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the weeks of March 13 – March 26, 2014
- Report from the Building Inspector's office March 25, 2014
- Report of the Work Session of the Common Council held on March 20, 2014
- Report of Public Hearing held by the Zoning Board of Appeals on March 17, 2014

RESOLVED: That the reports as listed are hereby ordered received and placed on file among the public records of the City Clerk's Office.

By Councilor Kretser; Seconded by Councilor O'Connell

Roll call: Councilors Armstrong, Kelly, O'Connell, Kasper, Kretser

(All voted in the affirmative)

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the weeks ending March 21, 2014 in the amount of \$ 1,242,134.54 and March 28, 2014 in the amount of \$1,267,386.64 are and authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Kasper; Seconded by Councilor Armstrong
Roll call: Councilors Armstrong, Kelly, O'Connell, Kasper, Kretser
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

Mary Dufore 43 Tremblay Ave spoke in support of the Council's actions limiting fracking activity in the City.

Mary Alice Shemo spoke in support of the anti fracking resolution.

7. OTHER ITEMS:

A. RESOLVED: It is the policy of the Common Council of the City of Plattsburgh to prohibit activities associated with hydraulic fracturing such as, but not limited to:

- The use of the City of Plattsburgh's waste water collection system for the disposal of waste water from hydraulic fracturing,
- Construction of pipelines whose primary purpose is to transport natural gas from hydraulic fracturing operations,
- Construction of any storage facilities whose primary purpose is storage of natural gas produced by hydraulic fracturing;
- Mining or otherwise extracting sand and other solid materials used in the hydraulic fracturing process,
- Use of the City of Plattsburgh's water supply for hydraulic fracturing purposes;

RESOLVED: The City Council approves the City Council and Mayor to prepare and sign a letter to Governor Andrew Cuomo thanking him for prohibiting hydraulic fracturing in the State of New York to date and encouraging him to permanently ban the practice in the state, as have over 200 other municipalities in the State of New York.

Let it also be understood that this resolution does not prohibit activities such as delivering fossil fuels for personal or business use, geothermal heating and cooling projects, dredging, excavation for construction, land improvements or other such activities where new fossil fuel production or facilitation of said production is not the primary purpose.

By Councilor Kelly; Seconded by Councilor Armstrong

Discussion:

Councilor Kelly spoke about the process that got us here.

Councilor Kasper said thank you Mike for taking the initiative on this.

Councilor O'Connell said thanks for all the effort Mike.

Roll call: Councilors Armstrong, Kelly, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves Redundant Pumping System Engineering Services for Margaret Street Pump Station be awarded to AES Northeast for the total lump sum of \$7,900.

By Councilor Kretser; Seconded by Councilor O'Connell

Discussion: None

Roll call: Councilors Armstrong, Kelly, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor be authorized to sign a letter of support for the Champlain Valley Transportation Museum's Waterfront Revitalization grant and that the City Engineer may conduct the inspection for the project and the city may serve as the fiscal agent to assist Champlain Valley Transportation Museum.

By Councilor Armstrong; Seconded by Councilor Kelly

Discussion: None

Roll call: Councilors Armstrong, Kelly, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to revise capital project H5110.44, 2014 Street Resurfacing for the addition of the North Margaret Street feasibility study.

By Councilor Kasper; Seconded by Councilor O'Connell

Discussion:

Councilor Armstrong said thank you for all the documentation that's provided and the thorough

presentation regarding these and other infrastructure projects that are proposed.

Councilor Kasper (asked during the initial consideration portion of the meeting) what is the time line for having a feasibility study done?

City Engineer Kevin Farrington said within the next week they will be collecting data and then they should have a draft report 4-5 weeks after that, and then we'll discuss and evaluate alternatives and finalize.

Roll call: Councilors Armstrong, Kelly, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to establish capital project H8320.75, 2014 Water Distribution Improvements.

By Councilor Kretser; Seconded by Councilor O'Connell

Discussion: None

Roll call: Councilors Armstrong, Kelly, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves City Engineer to advertise for bids for Contract #2014-11 "West Court Street Roadway and Utility Improvements."

By Councilor Kelly; Seconded by Councilor Armstrong

Discussion: None

Roll call: Councilors Armstrong, Kelly, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign an Architectural/Engineering Consultant agreement with AES Northeast, PLLC for Contract #2014-10 "Fire Station 1 and 2 roof replacement."

By Councilor O'Connell; Seconded by Councilor Kelly

Discussion:

Councilor O'Connell said long overdue and looking forward to getting that done.

Roll call: Councilors Armstrong, Kelly, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

H. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to establish capital project H8130.60, 2014 WPCP Aeration System Upgrades.

By Councilor Armstrong; Seconded by Councilor Kelly
Discussion:

Councilor Armstrong said we received adequate and appreciated clarification regarding the original proposal for \$250,000 and Mayor Calnon clarified why the amount ended up being \$350,000.

Mayor Calnon said the initial proposal was to buy 1 new gear box and try to remanufacture one of the older ones. After further discussions, Jon Ruff indicated he liked to have the option to be able to buy 2 new ones. Depending on what sort of warranty he'd get regarding the remanufactured. So this allows that choice. Obviously, when the actual bids are put on and the awards are made that will come before the Council again with the specific numbers. This is just establishing the vehicle in which it can be done.

Councilor Armstrong said I would also like to compliment this little informational piece that we were all given so that really helps us see what the needs are.

Roll call: Councilors Armstrong, Kelly, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

I. RESOLVED: In accordance with the request therefore the Common Council approves amending the management pay scale to add the position of Director of Information Technology and to correct and ratify prior hiring rates, per the attached memo.

Mayor Calnon removed "I" from the agenda because he was not able to provide the Council with the memo regarding this item yet. It will be on the next agenda.

8. TRAVEL REQUEST: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Resolution in opposition to County Election Charge-Backs to Municipalities.

Mayor Calnon said we had a fairly spirited discussion about this during the work session. Ranging from questions about what does this potential resolution mean, what does it intend, and what are some of the other sources of funds that actually go in to paying for elections. We hope to have some of those questions answered by next week so that we have information to consider this more fairly in 2 weeks.

2. **Councilor Kretser** introduced an idea that he has to help continue to bring life and vitality to the downtown. It's an idea that has been brought up before. There've been some plans and studies have been done about the feasibility. I guess I just want to continue the conversation. The idea of possibly creating an area downtown for pedestrian foot traffic. Possibly doing some permanent street closures that could help increase revenue to downtown; continue to make it a destination. I don't necessary have a plan but I have some ideas. Many people have sent him messages in support of the idea. And others have given me some ideas and things to think about as far as concerns. So I just want to bring this to the North Country and have people help collaborate with us to see if this is something that we want to pursue downtown. And I have support from the Council and the Mayor to just look in to it and see if it is something that would work. I also have support from the Chamber of Commerce and the Development Corporation just saying that they want to be a part of this process. They want to see if this is something the downtown businesses can sustain. We also want to collaborate with downtown business owners, North Country residents and community leaders to put together a comprehensive plan that would continue to help the downtown thrive. I think that downtown Plattsburgh is in a position now that we could benefit from a rebranding. It could be potentially a planned to rebrand. I think with the momentum of First Weekends and collaborations with Vision2Action and Destination Master Plan this is something that could help the area to thrive. I look forward to setting up some meetings and times to collaborate with the North Country about the possibility.

10. NEW BUSINESS:

{Discussion about how the Council will set up Committees}

Councilor Armstrong said I would like to acknowledge and maybe even toot our horn. We've been really making an effort to provide minutes for our work sessions which are posted and I think that this is just another effort we are making to communicate to the public that citizen outreach, soliciting input, making sure that they can become part of the process as well.

Councilor Kasper said and transparency for what we are doing.

Councilor Kelly spoke about the snow removal problems and we have reached a point to solidify our plans. We had the idea of:

1. Create a snow patrol of volunteers
2. Create a snow patrol of resident hired paid snow removers and maintain those lists in the City Clerk's office.
3. Create a webpage and brochure for snow removal and snowstorm parking tips
4. Develop a publicity campaign for the Fall – get the word out that help is available for those who cannot do it themselves but the law will be enforced
5. Find out how police, building inspectors and DPW can help enforce the law (hopefully reps from each of the departments will be present) Actually, I have to give a big shout out to Desi Racicot who is eager to help us enforce the law. I think it will be a big component in making it a success in future winters.
6. Establish some metrics on number of cars towed and number of sidewalks cleaned and make some goals for improvement in 2014-2015. Use these metrics to gauge our success going forward.

At our next meeting in 2 weeks there will be some resolutions to address these wishes and then the following 2 weeks we can vote on them.

Councilor O'Connell said I'm thinking about proposing an alternate side of the street parking. The time frame would be November to April. Should we incorporate it with the snow removal resolution or should it be separate.

Councilor Kretser said I suggest it be separate.

Councilor O'Connell said the next meeting I probably will have something for initial consideration and then 2 weeks after that maybe we will be voting on something like that too.

Mayor Calnon said Kevin you probably need to be involved in that discussion based on what the regulations are.

Councilor O'Connell said I also want to pursue the utilization of a 2nd ambulance in the city. That I think would entail a couple extra workers per shift. I think we can make some money on it. I believe it was proposed at one point and time and was said.....

Mayor Calnon said actually I can give you a little history on it. I think in my tenure it has been proposed 3 times. There is a pretty good analysis of the cost benefit. That would be the first stop is to take a look at what those particular offers were and why they were or weren't attractive. The key element as you point out is staffing.

Councilor O'Connell said why give it to the outside sources let's keep it from within. Maybe we could discuss it at a work session.

Councilor Kelly said I like both those ideas Paul. Can you tell us why you want to do the alternate side of the street parking?

Councilor O'Connell said today I was coming to the meeting and I was driving on Cornelia Street and there was a garbage truck there it was in front of Jay's and 5 or 6 cars were waiting to go through. I couldn't pull out. Something could happen. I think Safety's a big one.

Mayor Calnon said it's difficult for Public Works to cut the banks back to the curbs when they've got to work their way around cars. If they could go out to a street one day one side one day the next side then they'd be able to cut them back even closer to the curb.

Councilor O'Connell said exactly.

Councilor Kelly said that would really help the snow removal.

Mayor Calnon said it used to be there was no parking.

Councilor O'Connell said definitely we want to keep the all night parking bans when the lights are flashing.

Mayor Calnon announced a public hearing to receive public comments on local law P-2 of 2014 which amends the city charter and supersedes state law requirements regarding residency for city officers. It will be held on Thursday, April 10, 2014 at 5pm in the Common Council Chambers, 41 City Hall Place, Plattsburgh, NY 12901.

MAYOR CALNON BROUGHT THE FOLLOWING RESOLUTION:

RESOLVED: In accordance with the request therefore the Common Council approves the continued closing of Division Street for up to an additional 2 weeks.

By Councilor Kelly; Seconded by Councilor Armstrong
Discussion:

Councilor Kasper said what's the contamination?

Mayor Calnon asked Joe what is the contamination?

Building Inspector Joe McMahon said its fuel tank contamination.

Roll call: Councilors Armstrong, Kelly, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

Mayor Calnon said every month I've been trying to announce during the Council meeting where my \$500 of support is going. Although, I wrote the check a few weeks ago when I was guest bartender at The Pepper, the March \$500 went to First Weekends. How'd we do Tim?

Tim McCormick from First Weekends said they raised close to \$1,000.

Mayor Calnon said the other thing I'm going to throw out under "New Business." It is not an official resolution that I am proposing. I just want to alert you to the fact that I'm going to email a piece of correspondence tonight that is providing an expansion of my position on the last meetings vote on the Apostle's for Life request. Asking the Council to take a look at it and at least consider reconsidering that request. In it I do acknowledge the fact that when the Council makes a decision it is our responsibility to honor that decision and I'm doing so. I'm asking just to take a look at it and kind of think about the things that I've offered. And if that's something that you could reconsider I'd ask to maybe look at it next time. But, certainly we abide by the rule of the majority.

11. CLOSING PUBLIC COMMENTS:

Laverne Hicks, 9 Alex Way said if you don't know where that is it's right next door to Bombardier. I'm

very happy to see all these new faces, believe me. No more old boys club. I see you haven't gotten a Counselor yet. Do you plan on getting a Counselor to sit in Mr. Clute's place?

Mayor Calnon said this is not a question and answer session, but, let me just say that, yes we will.

Laverne Hicks, 9 Alex Way said if you do I hope you get somebody that is not conniving and does not under handedly sell the City of Plattsburgh down the drain. I have some maps if anybody would like to look at them. There are some streets in the City of Plattsburgh that no longer exist. I'd just like to know where they went. But, like I said I am very happy to see all these new faces. You'll probably see me a lot. I just came in to get my feet wet, to be honest with you. I haven't been here for the first 3 months, but, I will be back.

Tim McCormick from First Weekends said I came here basically to get information and to hear about the Margaret Street closure. I am happy to hear that you are looking to reach out to different groups. First Weekends and Downtown Association would be very happy to be part of that committee that helps decide what street, whether its Margaret Street or City Hall Place or wherever would be used for permanent closure. I wanted to invite all of you to come down to City Hall Place for First Weekends on April 5th.

Eddie Perez, 48 Collins Way and I work for the City of Plattsburgh spoke in support of the anti fracking resolution.

Ann De la Chappelle, Director of Plattsburgh Public Library spoke about the Community Technology Center opening on April 1st.

Ben Clark said I applaud you all for working to better Plattsburgh. I would ask that you seek out all the different businesses to really hear their input. I read the article in the Press and walked away from it confused, questioning the reasoning behind the approval of a walking closure of streets for a protest or viewpoints. And the decline so that you couldn't close down a couple of parking spots. I would urge you to look into it to understand the different viewpoints and to set a precedent from here on to have some sort of a guideline to walk forward with. Thank you for all your commitment to Plattsburgh.

Motion to Adjourn by Councilor O'Connell; Seconded by Councilor Armstrong
Roll call Councilors Armstrong, Kelly, O'Connell, Kasper, Kretser
(All voted in the affirmative)

MEETING ADJOURNED: 6:15pm